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33717 7590 07/08/2009 GREENBERG TRAURIG LLP (L.A.) 2450 COLORADO AVENUE, SUITE 400E INTELLECTUAL PROPERTY DEPARTMENT SANTA MONICA, CA 90404				
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SHIN, KYUNG H				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/750,319

**Applicant(s)**

SAYED, OMAR FAROOQ

**Examiner**

Kyung Hye Shin

**Art Unit**

2443

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3 - 6, 8 - 19, 23 - 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 6, 8 - 19, 23 - 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. This action is responding to application papers filed on 3-16-2009. Claims 1, 3 - 6, 8 - 19, 23 - 29 are pending. Claim 19 has been amended. Claims 2, 7, 20 - 22 have been cancelled. Claims 1, 18, 19, 23, 26 are independent. This application was filed on 12-31-2003.

### *Response to Arguments*

2. Applicant's arguments have been fully considered but they were not persuasive.

2.1 Applicant argues, *the term "shopping mall"*. (Remarks Page 8, 9)

Claim 18 discloses that "the shopping mall incorporates the new network directory". The claimed invention discloses that a shopping mall is equivalent to a network directory. Applicant's arguments against the claims start with independent claim 26. Claim 26 is a new claim added as a set of claim amendments and was not part of the original claimed invention. Claim 26 addresses the term "shopping mall" in the context of an online shopping mall entity or the equivalent network directory (directory of network sites, portal).

Independent claim 1 addresses the manipulation of a computer network directory or directory of network sites. Claim 1 mentions a shopping mall in the preamble only.

Poulsen does not explicitly disclose the term "shopping mall", but Poulsen discloses the equivalent structure required by the claimed invention, a directory of network sites or network directory. Poulsen discloses a system for the generation of a

portal web site or a directory of network sites (network directory). A portal is defined as a website designed to provide access to numerous other sites and, variously, e-mail service, online shopping, etc. (<http://www.yourdictionary.com/portal>). A portal can be used as an interface for online shopping as per definition.

Both, Poulsen and Vittal discloses the generation and manipulation of a network directory. The combination of the teachings of Poulsen and Vittal would be obvious since the generation of a network directory (portal site) is equivalent to the generation of an online shopping mall. There is no "teaching away" by Poulsen since Poulsen does not discredit or discourage the generation of a network directory or online shopping mall. Poulsen merely does not use the term "shopping mall" to disclose the equivalent structure of the network directory.

2.2 Applicant argues that the referenced prior art does not disclose, *an embedded identifier*. (Remarks Page 9)

Poulsen discloses an embedded identifier as stated in the Office Action. (Poulsen col 4, ll 54-61: subscriber ID, unique identifier associated with each portal; col 7, ll 63-67)

2.3 Applicant argues that the referenced prior art does not disclose, *referring customers*. (Remarks Page 9)

Vittal is used for the disclosure of referring customers as stated in the Office Action. (Vittal col 8, line 59 - col 9, lines 4: online storefront (shopping mall); registering with a third party (referral from a third party))

2.4 Applicant argues that the referenced prior art does not disclose, *preexisting providers*. (Remarks Page 11)

Poulsen does not explicitly disclose the term "shopping mall". The generation of a network directory is equivalent to the generation of an online shopping mall. Poulsen discloses customization in the generation of a network directory or online shopping mall. (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input through graphical user interface)) There is no disclosure that the customized network directory must contain preexisting providers.

2.5 Applicant argues that the referenced prior art does not disclose, *product categories*. (Remarks Page 11)

Vittal discloses information used to categorize a specific product. The price of a product is a specific attribute of a product. (Vittal col 8, ll 43-45: disclose information to the user related to pricing of a product (product category); col 4, ll 34-41: information enabling a search for specific products)

2.6 Applicant argues that the referenced prior art does not disclose, *hindsight reasoning*. (Remarks Page 10)

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

### ***Claim Rejections - 35 USC § 103***

The text of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims **1, 3 - 6, 8, 9, 14 - 19, 23 - 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Poulsen** (US Patent No. **7,062,511**) in view of **Vittal et al.** (US patent No. **6,907,401**).

**Regarding Claims 1, 18, 19, 23**, Poulsen discloses a method, computer system, computer program product for using an existing computer network directory of a first plurality of providers associated with a master entity the method comprising:

- a) receiving one or more inputs from a subordinate entity for a customization model;

- (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface))
- b) creating a new computer network directory of a second plurality of providers associated with the subordinate entity using the existing computer network directory as governed by and the customization model, wherein the second plurality of providers comprises a subset of the first plurality of providers, and wherein one or more of the first plurality of providers is copied at least in part to the new computer network directory; (Poulsen col. 6, l 62 - col 7, l 7: set of portlets (providers) added to portal; providers selected from a list of portlets (selected portlets is a subset of list)) and
- c) using the existing computer network directory and the customization model to create the new computer network directory; (Poulsen col 7, ll 35-40: preference data (seed data) collected; portal generated based on preference data; col 4, ll 25 - 41: development of a portal using portal website development system; usage of seed data (data defining the portal))
- d) storing both the existing computer network directory and the new computer network directory; (Poulsen col 5, ll 15-22: store information about one or more web portal sites within database; col 3, ll 44-56: portal database)
- e) embedding an identifier corresponding to the subordinate entity into at least a portion of the new computer network directory. (Poulsen col 4, ll 54-61: subscriber ID, unique identifier associated with each portal; col 7, ll 63-67)

Poulsen does not disclose unique network location information. However, Vittal

discloses unique network location information. (Vittal col 4, ll 47-50: URL link interface to merchant sites (network locations))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a unique network location identified by a uniform resource locator as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 3**, Poulsen discloses the method of claim 1 and a plurality of providers. (Poulsen Figure 4H (440; 441; 442; 443); col 6, l 62 - col 7, l 7: lists of portlets (providers) selected for generated web portal) Poulsen does not explicitly disclose offering goods and services. However, Vittal discloses wherein providers offers goods, services or both goods and services. (Vittal col 1, ll 6-10; col 3, ll 38-40: provide only goods and services)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 4**, Poulsen discloses the method of claim 1. And, Vittal discloses



wherein each of the first plurality of providers is associated in the existing computer network directory with a network location. (Vittal col 4, ll 47-50: portal, user interface consists of links (network location) to merchants (providers); col 5, ll 2-4; col 5, ll 9-15: each merchant (provider) network accessible to customers and aggregators)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 5**, Poulsen discloses the method of claim 4. And, Vittal discloses wherein each of the second plurality of providers is associated in the new computer network directory with a network location. (Vittal col 4, ll 47-50: portal, user interface consisting of links (network locations) to current set of merchants (providers); col 5, ll 2-4; col 5, ll 9-15: subset of merchants (providers) network accessible to customers and aggregators)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 6**, Poulsen discloses the method of claim 5 further comprising one or more of the second plurality of providers by passing linking information for each of the one or more of the second plurality of providers through a hosting server controlled by the master entity. (Poulsen col 2, l 66 - col 3, l 7: portal development system; portal server, database; col 6, l 62 - col 7, l 7: list (links) of portlets (providers)) Poulsen does not explicitly disclose referring potential customers. However, Vittal discloses wherein referring potential customers. (Vittal col 8, l 59 - col 9, l 4: online storefront (shopping mall); registering with a third party (referring customer))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for referring potential customers as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 8**, Poulsen discloses the method of claim 4. Poulsen does not explicitly disclose a unique network location identified by a uniform resource locator. However, Vittal discloses wherein each of the first plurality of providers is associated in the existing computer network directory with a unique network location identified by a uniform resource locator. (Vittal col 4, ll 47-50: URL link interface to merchant sites (network locations))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a unique network location identified by a uniform resource locator as taught by Vittal.

One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 9**, Poulsen discloses the method of claim 1 wherein the creating of the new computer network directory is performed on at least one server controlled by the master entity. (Poulsen col 2, l 66 - col 3, l 7: portal website development system (server system); col 6, l 62 - col 7, l 7: lists of portlets (content providers); portal setup)

**Regarding Claim 14**, Poulsen discloses the method of claim 1 wherein the new computer network directory. Poulsen does not explicitly disclose a directory of merchants. However, Vittal discloses wherein a directory of merchants for on-line shopping by customers. (Vittal col 1, ll 6-10; col 4, ll 41-47: only selling of goods and services by merchants (providers))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for a directory of merchants as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 15**, Poulsen discloses the method of claim 14 wherein the one or

more inputs for the customization model to use in copying selected data from the existing computer network directory. (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface)) Poulsen does not explicitly disclose product categories. However, Vittal discloses wherein product categories. (Vittal col 8, ll 35-64: merchant (provider) determines information to be displayed at aggregator (portal, master entity) site for customer (user))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for product categories as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 16**, Poulsen discloses the method of claim 1. Poulsen does not explicitly disclose online shopping environment and making a purchase. However, Vittal discloses wherein further comprising providing an on-line shopping environment for customers, wherein the shopping environment incorporates the new computer network directory, and wherein the shopping environment is configured so that customers may select a merchant from the new computer network directory to make a purchase. (Vittal col 13, ll 57-62; col 8, ll 56-63: users (customers) may purchase items (using shopping cart) from directory (list of merchants))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for online shopping environment and making a purchase as taught by Vittal. One of

ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 17**, Poulsen discloses the method of claim 16. Poulsen does not explicitly disclose an online shipping environment. However, Vittal discloses wherein (i) the on-line shopping environment comprises a user interface and (ii) one or more inputs from the subordinate entity comprise defining conditional rules; and the method further comprising configuring the user interface to dynamically update based on the conditional rules. (Vittal col 2, ll 53-68; col 8, ll 35-64: user interface for merchants (providers) to customized information displayed at portal website)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for online shopping environment as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 24**, Poulsen discloses the method of claim 23 and rules. Poulsen does not explicitly disclose a product category. However, Vittal discloses wherein one of the at least one rule comprises a product category. (Vittal col 8, ll 43-45: disclose information to the user related to pricing of a product (product category))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for

a product category as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 25**, Poulsen discloses the method of claim 23 and rules. Poulsen does not explicitly disclose a featured merchant. However, Vittal discloses wherein one of the at least one rule comprises featured merchants. (Vittal col 8, ll 56-58: allow merchant (a featured merchant) to specify the shopping options available to the user)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for providers offering goods and services as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 26**, Poulsen discloses a method for a master entity to create an on-line shopping mall for a subordinate entity and to track referrals from the shopping mall, the method comprising:

- a) receiving, from the subordinate entity, one or more inputs to define a customization model to create the shopping mall; (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input) through graphical user interface))

- b) using selected portions of data from an existing computer network directory of the master entity as governed by the customization model to create a new computer network directory. (Poulsen col 5, ll 15-22: information for one or more portals stored in portal schema; col 4, ll 25 - 41: development of a portal using portal website development system; usage of seed data (data defining the portal)), wherein:
- (i) the existing computer network directory comprises a plurality of providers originally associated with the master entity; (Poulsen col 5, ll 15-22: information for one or more portals stored in portal schema) and
  - (ii) the new computer network directory comprises a link to each of a subset of the plurality of providers, and further comprises an identifier embedded into each link to identify the subordinate entity; (Poulsen col 4, ll 54-61: subscriber ID, unique identifier associated with each portal)

Poulsen does not explicitly disclose tracking referrals.

However, Vittal discloses:

- c) tracking referrals from the shopping mall using the identifier, wherein configured to provide customer access to the subset of providers. (Vittal col 8, line 59 - col 9, lines 4: online storefront (shopping mall); registering with a third party (referral from a third party))

And, Vittal discloses a shopping mall. (Vittal col 4, ll 35-46: shopping engine; product offerings, reviews, information from merchants, advertisements, other

information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for tracking referrals as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 27**, Poulsen discloses the method of claim 26 and at least one of the one or more inputs for the customization model. Poulsen does not explicitly disclose product categories. However, Vittal discloses wherein further comprising providing, to the subordinate entity, a plurality of product categories for selection by the subordinate entity. (Vittal col 8, ll 43-45: disclose information to the user related to pricing of a product (product category))

It would have been obvious to one of ordinary skill in the art to modify Poulsen for product categories as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 28**, Poulsen discloses the method of claim 26. Poulsen does not explicitly disclose the term "shopping mall". However, Vittal discloses wherein the shopping mall of the first subordinate entity is a first shopping mall, and further



comprising publishing a second shopping mall based on the existing computer network directory, wherein the first and second shopping malls are simultaneously available on-line for customer access. (Vittal col 4, ll 35-46: shopping engine; product offerings, reviews, information from merchants, advertisements, other information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for disclosure of the term "shopping mall" as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

**Regarding Claim 29**, Poulsen discloses the method of claim 26 wherein the subordinate entity is a first subordinate entity, the customization model is a first customization model, and the new computer network directory is a first directory, and further comprising:

- a) receiving one or more inputs to define a second customization model; (Poulsen col. 5, lines 31-34: preferences data input to portal server received (input through graphical user interface))

Poulsen discloses wherein using selected portions of data from the first directory as governed by the second customization model to create a second new computer network directory. (Poulsen col 5, ll 15-22: information for one or more portals stored in portal schema) Poulsen does not explicitly disclose the term "shopping

mall".

However, Vittal discloses

- b) wherein a shopping mall of the second subordinate entity. (Vittal col 4, ll 35-46: shopping engine; product offerings, reviews, information from merchants, advertisements, other information for people conducting electronic commerce)

It would have been obvious to one of ordinary skill in the art to modify Poulsen for disclosure of the term "shopping mall" as taught by Vittal. One of ordinary skill in the art would have been motivated to employ the teachings of Vittal for an aggregator to have an automated means of acquiring a merchant, deciding whether or not to include a merchant in a service of an aggregator. (Vittal col. 2, lines 17-23)

6. Claims **10 - 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Poulsen-Vittal** and further in view of **Feathers et al.** (US PG PUB No. **20020055933**).

**Regarding Claim 10**, Poulsen discloses the method of claim 1. Poulsen does not explicitly disclose a contractual duty to share at least a portion of its revenue with the master entity. However, Feathers discloses wherein each of the first plurality of providers has a contractual duty to share at least a portion of its revenue with the master entity. (Feathers para 013, ll 10-16; para 015, ll 8-13: agreement (contractual) for revenue sharing between aggregator (affiliate site, master entity) and merchant (provider))

It would have been obvious to one of ordinary skill in the art to modify Vittal as

taught by Feathers for revenue sharing between aggregator (master entity) and merchants (providers). One of ordinary skill in the art would have been motivated to employ the teachings of Feathers to dynamically maintain web site associations by maintaining a referring source's identification information to a user's web site and preventing its lost. (Feathers para 002, II 2-3; para 004, II 19-23)

**Regarding Claim 11**, Poulsen discloses the method of claim 10. Poulsen does not explicitly disclose one or more of the second plurality of providers has a contractual duty to share a least a portion of revenue with the subordinate entity. However, Feathers discloses wherein one or more of the second plurality of providers has a contractual duty to share a least a portion of revenue with the subordinate entity. (Feathers para 013, II 10-16; para 015, II 8-13: agreement (contractual) for revenue sharing between aggregator (affiliate site, master entity) and merchants (providers))

It would have been obvious to one of ordinary skill in the art to modify Vittal as taught by Feathers for revenue sharing between aggregator (master entity) and merchants (providers). One of ordinary skill in the art would have been motivated to employ the teachings of Feathers to dynamically maintain web site associations by maintaining a referring source's identification information to a user's web site and preventing its lost. (Feathers col 2, II 2-3; para 004, II 19-23)

**Regarding Claim 12**, Poulsen discloses the method of claim 11. Poulsen does not explicitly disclose whereby the portion of revenue of the one or more second plurality of

providers is established by the contractual relationship of the master entity with the first plurality of providers. However, Feathers discloses wherein the portion of revenue of the one or more second plurality of providers is established by the contractual relationship of the master entity with the first plurality of providers. (Feathers para 013, ll 10-16; para 015, ll 8-13: agreement (contract), revenue sharing between aggregator (affiliate site, master entity) and merchants (providers))

It would have been obvious to one of ordinary skill in the art to modify Vital as taught by Feathers for revenue sharing between aggregator (master entity) and merchants (providers). One of ordinary skill in the art would have been motivated to employ the teachings of Feathers to dynamically maintain web site associations by maintaining a referring source's identification information to a user's web site and preventing its loss. (Feathers para 002, ll 2-3; para 004, ll 19-23)

**Regarding Claim 13,** Poulsen discloses the method of claim 11. Poulsen does not explicitly disclose whereby sending revenue from the master entity to the subordinate entity corresponding to the portion of revenue of the one or more second plurality of providers. However, Feathers discloses wherein further comprising sending revenue from the master entity to the subordinate entity corresponding to the portion of revenue of the one or more second plurality of providers. (Feathers para 013, ll 10-16; para 015, ll 8-13: revenue sharing between aggregator (affiliate site, master entity) and merchants (providers))

It would have been obvious to one of ordinary skill in the art to modify Vital as

taught by Feathers for revenue sharing between aggregator (master entity) and merchants (providers). One of ordinary skill in the art would have been motivated to employ the teachings of Feathers to dynamically maintain web site associations by maintaining a referring source's identification information to a user's web site and preventing its loss. (Feathers para 002, ll 2-3; para 004, ll 19-23)

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung Hye Shin whose telephone number is (571)272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L. Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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